

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Cause No.: 4:14-CR-00093-SPM
	)	
TODD SCOTT,	)	
	)	
Defendant.	)	

**OBJECTIONS TO REPORT AND RECOMMENDATIONS OF THE MAGISTRATE**

COMES NOW Defendant, pursuant to 28 U.S.C. §636(b), and objects to the findings of the magistrate judge, in their entirety, and in support thereof, states as follows:

1. On January 13, 2015, the Court acting through Magistrate Judge Shirley P. Mensah, issued a report and recommendation related to various pre-trial matters raised by the Defendant (Doc. 114).

2. Specifically, the Defendant had filed a variety of motions to suppress evidence and dismiss counts, to wit:

- a. Motion to Suppress Evidence Obtained Through Search and Seizure at his Residence on November 11, 2013 (Doc. 45);
- b. Motion to Suppress Evidence Seized on November 12, 2013 (Doc. 46);
- c. Motion to Suppress Statements made on November 12, 2013 (Doc. 47);
- d. Sealed Motion to Suppress Statements made on January 23, 2014 (Doc. 63);
- e. Defendant's Motion to Suppress Evidence and Statements on January 23, 2014 (Doc. 64); and

- f. Defendant's Sealed Motion to Dismiss Counts 8 and 9 of the Indictment (Doc. 89).
3. An evidentiary hearing was held on the pre-trial motions on or about October 3, 2014. A transcript of this proceeding was prepared.
4. The motions were all fully briefed post-hearing (Docs. 103 & 106).
5. In the report and recommendations the Magistrate Judge denied all of Defendant's motions.
6. For all of the reasons set forth at the hearing , and in post-trial briefing, the ruling of the Magistrate is not supported by the evidence on the record.

WHEREFORE, for the reasons set forth in pre- and post-hearing briefing, Defendant prays that the Court make a de novo determination regarding the pre-trial motions, evidence, and briefing, and if necessary receive further evidence, and reject or modify in whole or in part the findings or recommendations made by the magistrate judge and order the various issues suppressed and grant the motions to dismiss; and for such further relief as the Court may deem just and proper in the premises.

Respectfully submitted,

NEWTON WRIGHT, L.L.P

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Attorney for Defendant Scott

**Certificate of Service**

The undersigned counsel hereby certifies that a true and accurate copy of the foregoing was served upon all counsel of record on this 27<sup>th</sup> day of January, 2015, via the Court's electronic filing system.

/s/ T. Newton \_\_\_\_\_